

REMARKS

Claims 1-9, 11, 12, 16, and 17, as amended, are pending herein, with non-elected claims 2 and 11 being withdrawn from further consideration.

Parent claims 1 and 12 have been amended to more particularly recite the means for displacing the cylindrical members relative to each other. The limitations added to the parent claims were taken from dependent claims 10, 13-15 and 18 which have been cancelled. In addition, withdrawn claim 19 has been cancelled. Since the added limitations to claims 1 and 12 are taken from the dependent claims, no new issues of patentability have been added and entry of the amendment is warranted.

Referring to Fig. 4, the outer cylindrical member 200 has a top containing an inlet/outlet opening 211. The outer cylindrical member is hollow and thus contains a chamber 212 in which the inner cylindrical member 201, which is in the form of a piston, is arranged. The inner cylindrical member includes a top end having a face 213 and is sealed with the inner wall surface of the outer cylindrical member by an O-ring 215. When fluid, such as air or a liquid, is supplied under pressure to the chamber via the opening 211, the members are separated. Thus, if the inner member is mounted on the floor, the outer member, which is connected with a piece of furniture or a pool table or the like, is raised, with the peg being arranged in one of the detents in accordance with the desired separation or height selected for the outer member. Releasing fluid from the chamber via the opening allows the members to be brought together to lower the pool table, furniture, or the like.

The Rothschild reference cited by the Examiner does not disclose or suggest any means for displacing the male and female members. The Examiner contends that Rothschild teaches "... a combined fluid inlet outlet (hole through which member 1 is inserted) ... (and) relative longitudinal movement between the elements in one direction is effected through introducing a fluid under pressure into the chamber." Applicant

respectfully disagrees with the Examiner's position and asks that the Examiner specifically identify where Rothschild supports this statement.

The female member 5 of Rothschild is illustrated as including a threaded member 1. However, the member is not described in the specification of Rothschild and more particularly, Rothschild does not teach a fluid inlet/outlet hole. Since Rothschild is telescopic support is suitable for raising pieces of furniture and the shape of the upper telescopic element can be adapted to the style of the furniture (page 9, lines 17-22), it follows that upper portion of the threaded member 1 is adapted for screwing the upper telescopic element into the leg of the furniture. The lower end of the threaded member 1 is screwed into the top of the female member and passes into a chamber to apparently to maintain the spring in alignment as shown in Figs. 1a-c and 2. There is no inlet/outlet opening in Rothschild as the Examiner contends. There is no piston, no sealing relation between the male and female members, no inlet/outlet opening, and no pressurized chamber. Moreover, the male member 4 of Rothschild is not cylindrical since it includes a recess 9 on the periphery thereof and thus is not a piston. Rothschild is incapable of functioning in the same manner as the claimed invention.

For all the foregoing reasons, there is no disclosure or teaching in Rothschild of all elements of applicant's presently claimed invention, and Rothschild is therefore not a proper grounds for rejection of applicant's claims under §102. Accordingly, reconsideration and withdrawal of the rejection under §102 is respectfully requested.

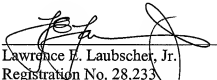
In addition, there is no disclosure or teaching in Rothschild which discloses or teaches anything which would have suggested applicant's presently claimed invention to one of ordinary skill in the art. Accordingly, reconsideration and withdrawal of these grounds of rejection are respectfully requested.

Allowance of claims 1-9, 11, 12, 16, and 17 is courteously solicited.

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Respectfully submitted,

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